UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION

LARRY MERRITT   PLAINTIFF

VERSUS   № 2:07-CV-029-P-A

ROBINSON PROPERTY GROUP CORP.   DEFENDANT

REPORT AND RECOMMENDATIONS

The undersigned submits this Report and Recommendation to the Hon. U.S.

District Judge W. Allen Pepper, Jr., for disposition.

On August 13, 2007, the undersigned enter an Order {№16} granting the

motion to withdraw filed by Mr. Michael D. Cooke, Esq. In that Order, the

undersigned advised the plaintiff, Larry Merritt, that he had ten days from the

Order's entry date to retain counsel or inform the court of his intent to proceed *pro*

se. The undersigned also warned the plaintiff that failure to comply with the

undersigned's Order may result in dismissal of the case for want of prosecution.

The plaintiff has failed to obtain other counsel or to notify this court of his

intent to proceed *pro se*. Indeed, the plaintiff has not responded to the undersigned's

order at all. Because the plaintiff has wholly failed to comply with the August

Order, the undersigned recommends that this action be dismissed based upon his

failure to prosecute.

The parties are referred to 28 U.S.C. § 636(b)(1)(B) and FED. R. CIV. P. 72(b)

for the appropriate procedure in the event any party desires to file objections to

these findings and recommendations. Objections are required to be in writing and must be filed within ten (10) days of this date and "a party's failure to file written objections to the proposed findings, conclusions, and recommendation in a magistrate judge's report and recommendation within 10 days after being served with a copy shall bar that party, except upon grounds of plain error, from attacking on appeal the unobjected-to proposed factual findings and legal conclusions accepted by the district court . . . ." *Douglass v. United Services Automobile Association*, 79 F.3d 1415, 1428-29 (5th Cir. 1996) (en banc) (citations omitted).

SO ORDERED, this the 1st day of October, 2007.

/S/ *S. Allan Alexander*
UNITED STATES MAGISTRATE JUDGE